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Attorney Docket: 381NP/50670
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HIROYUKI KADOTA

Serial No.: 09/989,469

Group Art Unit: 1742

Filed: NOVEMBER 21, 2001

Examiner: WESLEY A. NICOLAS

Title: ELECTROLYTIC GOLD PLATING METHOD AND APPARATUS
THEREFOR

REPLY TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on or about June 18, 2003, Applicant provisional elects with traverse Claims 8-16 (II). Reconsideration of the restriction requirement is requested on grounds that a *prima facie* showing of independence and/or distinctness has not been established.

The conclusory statement that the claimed apparatus can be used to deposit a metal other than gold does not establish that this is a materially different process sufficient to satisfy MPEP § 806.03(e). Nor does the Office Action explain in what manner the different process could occur in an apparatus that has means for measuring sulfurous acid in a gold sulfite complex of the plating solution as set forth in Claim 8.

Accordingly an early action on the merits of all the claims in this case is earnestly solicited.

If necessary, the paper should be considered as a petition for consideration of the Information Disclosure Statement under 37 C.F.R. §1.97(d)(2) and that the petition fee set forth in 37 C.F.R. §1.17(i) in accordance with 37 C.F.R. §1.97(d)(3) should be charged to Deposit Account No. 05-1323 (Docket 056207.50670).

Respectfully submitted,

July 17, 2003



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CAM# 056207.50670US